

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JIMMIE EARL STEPHENS,

Plaintiff,

v.

J. SHAFFER, et al.,

Defendants.

No. 2:24-cv-1785 CSK P

ORDER

Plaintiff is a state prisoner proceeding pro se. On July 1, 2024, plaintiff filed a motion purporting to request reconsideration of a court order finding he was subject to the three strikes bar under 28 U.S.C. § 1915(g). (ECF No. 6.) However, no such order has issued in this case. In addition, plaintiff's motion is captioned as directed to the Court of Appeals for the Ninth Circuit, but no appeal has been filed in this case. Because plaintiff's motion was improvidently filed in this action, the motion is denied.

At this time, plaintiff has two cases pending in this district: the instant case, Stephens v. Shaffer, No. 2:24-cv-1785 CSK P (E.D. Cal.), and Stephens v. Felder, No. 2:24-cv-1713 DJC CSK P (E.D. Cal.).¹ Plaintiff included both case numbers on the July 1, 2024 motion, and the

¹ A court may take judicial notice of court records. See, e.g., Bennett v. Medtronic, Inc., 285 F.3d 801, 803 n.2 (9th Cir. 2002) (“[W]e may take notice of proceedings in other courts, both within and without the federal judicial system, if those proceedings have a direct relation to matters at issue”) (internal quotation omitted).

1 motion is pending before the district court in Stephens v. Felder, No. 2:24-cv-1713 DJC CSK P.
2 Because plaintiff has two cases pending in this district, plaintiff should take care in the future to
3 address his filing to the appropriate court and include only the applicable case number.

4 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for reconsideration (ECF
5 No. 6) is denied.

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7 Dated: October 10, 2024.

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9 CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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